



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
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February 6, 2019

VIA ECF and UPS Overnight

Hon. William H. Pauley III
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: SEC v. Archer, et al.;
No. 16 Civ. 3505 (WHP) (OTW)

Dear Judge Pauley:

We represent the Plaintiff, Securities and Exchange Commission (the “Commission”), in this action.

We are writing concerning the Order entered by the Court yesterday which referred to the Judgment on consent that has been entered against Defendant Michelle Morton. (DE 227.) Because that Judgment resolved only Defendant Morton’s liability in this action, and did not resolve the Commission’s claims against her for monetary relief (DE 221; see also Letter to the Court re: Morton Consent Judgment, dated December 27, 2018 (DE 220)), the Commission will address its claims for monetary relief once criminal sanctions, including possible restitution and forfeiture orders, are entered against her after sentencing in the parallel criminal action, United States v. Galanis, 16 Civ. 371 (RA) (S.D.N.Y.). If the Commission determines to seek further relief against Morton, and is unable to resolve its claims against Morton on further consent, it will do so in its summary judgment motion scheduled to be filed on or before June 14, 2019. (DE 224.)

Respectfully submitted,

A handwritten signature of Nancy A. Brown is written over the text above.

Nancy A. Brown

cc: All Defendants via e-mail or overnight mail